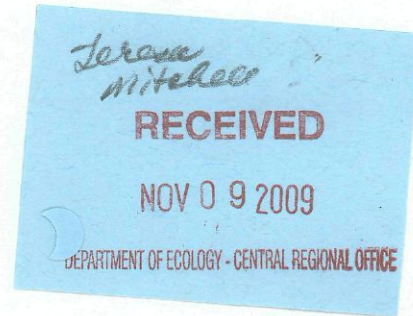


To: Washington Department of Ecology  
15 W Yakima Ave Ste 200  
Yakima, WA 98902



From: Michael and Rose Boyle  
2104 E Highland Dr  
Seattle, WA 98112

**RE: Mitigation Plan for Water Right Change Application CS4-02270CTCL.**

I am submitting the "Manastash Creek Restoration Project In-Stream Flow Enhancement Implementation Plan" to the Washington Department of Ecology as an amendment to my water right change application. The mitigation is for the upstream move of the point of diversion for Yakima Adjudication Court Claim # 02270 and any adverse environmental impacts that may be identified under the State Environmental Policy Act.

By submitting the Manastash Creek Restoration Project Instream Flow Enhancement Implementation Plan as my voluntary mitigation, I understand that my application or applications for POD change for the consolidation of Anderson, Reed Ditch, and Hatfield Ditch, upstream to the MWDA diversion, will commit not to divert water from the consolidated diversion until 6 cfs (before pro-rationing) of adjudicated water rights for instream flow purposes has been obtained and put into trust in perpetuity, in addition to any water saved by the consolidation of Reed, Anderson and Hatfield to the MWDA site.

Sincerely,

Michael and Rose Boyle





STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards



RD

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☐ Add purpose(s) of use  
☒ Change point(s) of diversion/withdrawal  
☐ Add point(s) of diversion/withdrawal  
☐ Change/transfer place of use  
☐ Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

**FOR OFFICE USE ONLY**

CHANGE No. CS4-02270 CTCL WRIA 39  
DATE ACCEPTED 10 / 18 / 06 BY [Signature]  
FEE \$ 4200 REC'D 10 / 16 / 06  
CHECK No. 8986  
SEPA: ☐ Exempt ☐ Not exempt

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

**1. Applicant Information:**

APPLICANT/BUSINESS NAME <u>Michael Boyle</u>	PHONE NO.	FAX NO. ( )
ADDRESS		
CITY	STATE	ZIP CODE

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO. ( )	FAX NO. ( )
ADDRESS		
CITY	STATE	ZIP CODE

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER <u>02270 (Priority Date 06-30-1877, 36 ac)</u>	RECORDED NAME(S) <u>Robert Dean</u>
DO YOU OWN THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: <u>17-18-07010-0007 (190236) Michael Boyle, 2104 E Highland Dr, Seattle WA 98112</u> <u>17-18-07010-0008 (200236) Michael Boyle, " "</u> <u>17-18-07010-0003 (268333) Robert Forbes, 900 Serenity Lane, Ellensburg, WA 98926</u>	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? YES <input type="checkbox"/> NO <input type="checkbox"/>	

**Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. See attached Yakima River Basin Water Rights Adjudication, Subbasin No. 11 (Manastash) info.**

**FOR OFFICE USE ONLY**

APP. NO. \_\_\_\_\_ PERMIT NO. \_\_\_\_\_ CERT. NO. \_\_\_\_\_ CERT. OF CHANGE NO. \_\_\_\_\_

COURT CLAIM 02270  
SUB 11 MANASTASH  
06-30-1877

CS4-02270 CTCL



3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek-Anderson Diversion		SE	NW	7	17	18	17-18-07020-0006 (308333)	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek-MWDA		NW	NE	14	17	17	17-17-14010-0011 (215133)	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
EXISTING: ☐ YES ☒ NO      PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:  
Existing: Samuel Albright. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	0.84 cfs		April 1 – June 30
Irrigation	0.42 cfs		July 1 – October 31
Irrigation		256.2 AF	Annually

B. Proposed SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:  
The SE ¼ NE ¼ of Section 7, T17N, R18E WM.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	NE	7	17	18	Kittitas	See below.	36

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:  
17-18-07010-0007 (190236) Michael Boyle  
17-18-07010-0008 (200236) Michael Boyle  
17-18-07010-0003 (268333) ~~Paul Austin~~ Robert Forbes

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:  
SAME

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
☐ YES ☒ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):



6. Remarks and Other Relevant Information:

**Dean POD:** 5 feet north and 700 feet west from the center of Section 7, being within the SE ¼ NW ¼ of Section 7, T17N, R18E WM

**MWDA POD:** 500 feet south and 150 feet east of the north quarter corner of section 14, being with in the NW ¼ NE ¼ of Section 14, T17N, R17E WM.

**POU Parcel Number(s):**

17-18-07010-0007 (190236) Michael Boyle  
17-18-07010-0008 (200236) Michael Boyle  
17-18-07010-0003 (268333) Robert Forbes

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ END DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

*I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

  09/30/06  
(Applicant) (Date)

\_\_\_\_\_  
(Water Right Holder) (Date)

\_\_\_\_\_  
(Land Owner(s) of Existing Place of Use) (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

**STAFF:** \_\_\_\_\_ **DATE:** \_\_\_\_/\_\_\_\_/\_\_\_\_



ATTACHMENT FOR  
APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal - ☐ Existing ☐ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek (existing)		SE	NW	7	17	18	17-18-07020-0006 (308333)	
Manastash Creek-MWDA (proposed)		NW	NE	14	17	17	1717-14010-0011 (215133)	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:  
Existing: Samuel Albright. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Purpose(s) of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	0.84 cfs		April 1 – June 30
Irrigation	0.42 cfs		July 1 – October 31
Irrigation		256.2 AF	Annually

B. Proposed SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

Place of Use - ☒ Existing ☒ Proposed: SAME

A. Existing

LEGAL DESCRIPTION OF LANDS:							
The SE ¼ NE ¼ of Section 7, T17N, R18E WM.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	NE	7	17	18	Kittitas	See below	36

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:  
17-18-07010-0007 (190236) Michael Boyle  
17-18-07010-0008 (200236) Michael Boyle  
17-18-07010-0003 (268333) Robert Forbes